

**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 50
AGENDA DATE: Thu 08/18/2005
PAGE: 1 of 1**

SUBJECT: Set a public hearing regarding the naming of an unnamed right-of-way to Waters Way. The right-of-way intersects Dark Valley Cove in the Shadowridge Crossing Section 12 subdivision generally located on F.M. 1826 between Slaughter Lane and U.S. Highway 290 West. (Suggested date and time: August 25, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street)

AMOUNT & SOURCE OF FUNDING: The processing fee of \$415 has been waived since it is a dedicated right-of-way and is sponsored by a City department. The City of Austin must pay a street sign replacement fee in an estimated amount of \$250.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING DEPARTMENT: Financial and Administrative Services - Communications and Technology Management

DIRECTOR'S AUTHORIZATION: Vickie Schubert

FOR MORE INFORMATION CONTACT: Annie Van Zant, GIS Assistant /974-2825; Robert Pellette, Business Systems Analyst/ 974-1670

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

The City of Austin has received a request to name a portion of an unnamed right-of-way in the Shadowridge Crossing Section 12 subdivision to Waters Way. The subdivision is generally located on F.M. 1826 between Slaughter Lane and U.S. Highway 290 West. The street intersects the end of Dark Valley Cove and extends approximately 250 feet to the east. The right-of-way was dedicated during the platting but was not named. This has caused problems for the property owner who uses the road. Naming the street will allow it to be placed on maps, resulting in more accurate routing for services. A public hearing is required because there is not unanimous support by the neighborhood residents for this change.

CTM addressing, APD, Fire and EMS concur with naming the street for better public safety response.

Staff has determined this request to be consistent with the City's codes and policies and recommends passage of the ordinance.

Response from City departments regarding street name change

Department: AFD

Contact: Lt. David Belknap

Comments:

It is the position of AFD Communications that the platted road in question, although currently used as a driveway, should be named and have a sign posted at the intersection (curb cut) with Dark Valley Cove. There is a large parcel that may be developed in the future and that parcel could be accessed off of the un-named roadway. The current single house on this roadway is hard for responder to find because it is far off Dark Valley Cove.

Naming the road (even if it remains unpaved) will aide call-takers, dispatchers and responders provide timely emergency response.

Department: EMS

Contact: Jasper Brown, Communications Commander Operations.

Comments:

I agree with AFD that the platted road in question, although currently used as a driveway, should be named and have a sign posted at the intersection (curb cut) with Dark Valley Cove.

Department: APD

Contact: Russell Evans, Communications Supervisor.

Comments:

APD Communications concurs with this recommendation.

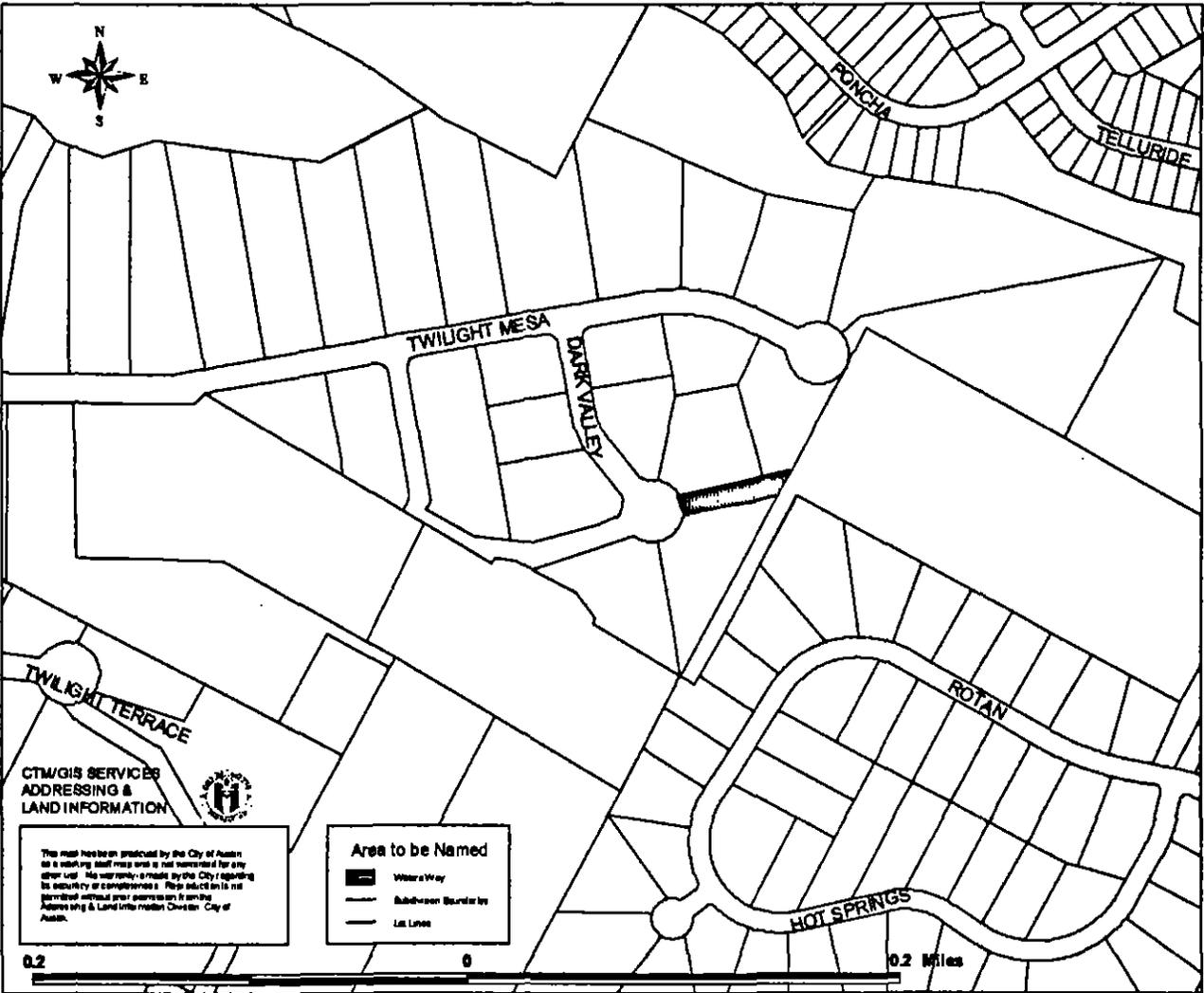
Department: GIS Addressing

Contact: Steve Clamons, Addressing Supervisor.

Comments:

The street to be named Water Way is a portion of right-of-way that was platted as part of the subdivision Shadowridge Crossing Section 12. There were several sections of road in the subdivision that were not accepted for maintenance by the City of Austin, and were not named on the plat due to a planning/reviewing loophole. The name Water's Way was requested for this portion because the Water's property is the only one that uses this road for access and is difficult to find using their current address, 8012 Dark Valley Cove.

Naming this road does not change its legal status nor does it require that city of Austin maintain it. The adjacent property owners object to the name for personal reasons but have no legal argument. This has been an ongoing problem since the subdivision was platted and needs to be resolved as soon as possible. Deborah Thomas in the legal department has already been over the details of this request and approved it to go to Council. This is a very simple case from the Addressing department's point of view - it is a dedicated right-of-way without a name, so we requested a name for it. There are no other unnamed right-of-ways in the city.



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Area to be Named

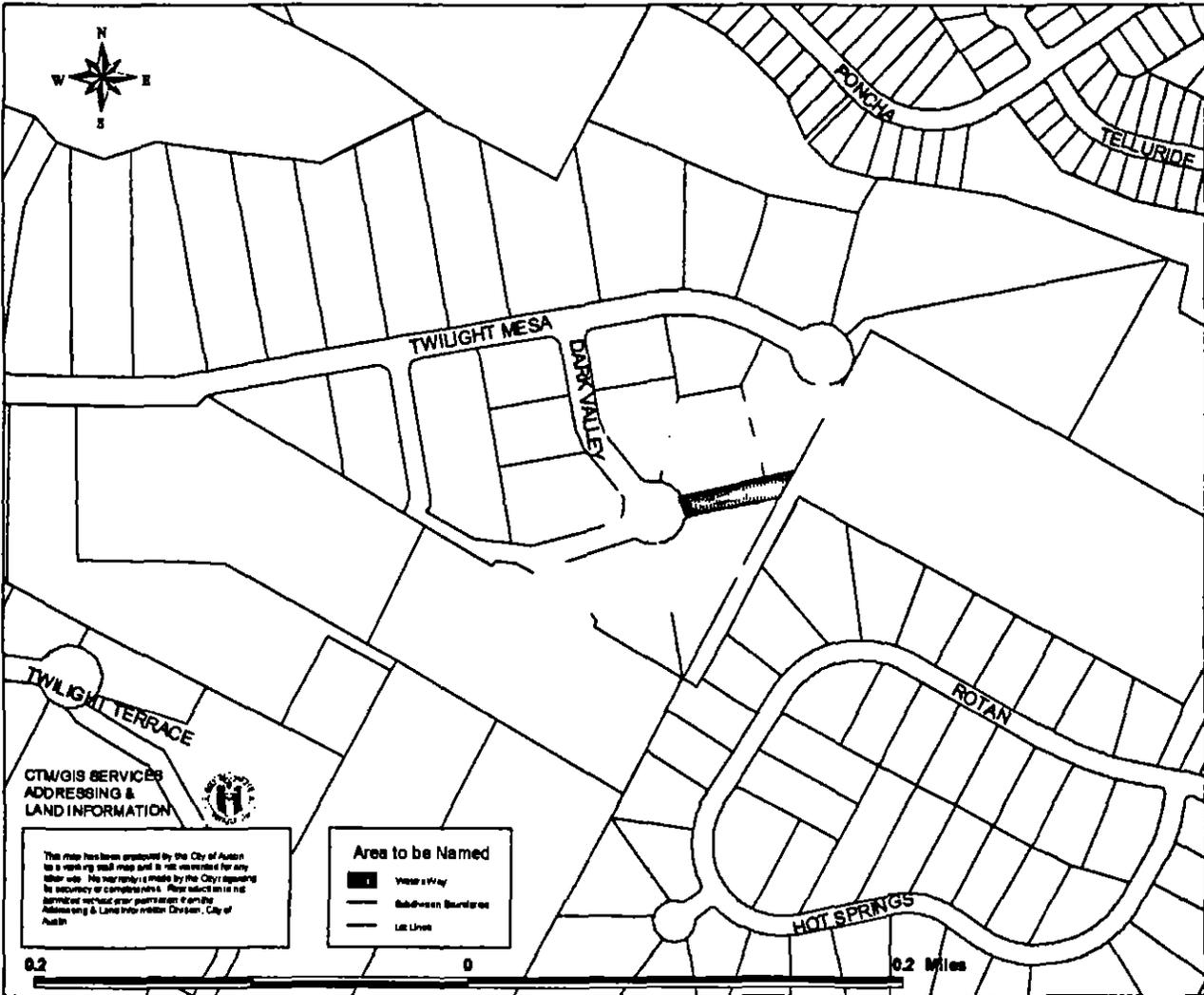
- Waterway
- Subdivision Boundary
- Lot Lines

0.2

0

0.2 Miles





CTM/GIS SERVICES
ADDRESSING &
LAND INFORMATION



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Area to be Named

- Water Way
- Subdivision Boundary
- Lot Lines

0.2

0

0.2 Miles



Waters Way Property Owner Comments:

Approvals:

Ronald S. & Jacqueline Waters (no comments)

Disapprovals:

Nyung S. & Jaeun M. Kwon

Comments:

- *1) The ROW should remain unnamed. It is not a public street; it is only an access road for a family.
- 2) The person requesting the change has been very uncooperative with the neighbors. At one time she even yelled at us.
- 3) No city property should be named after an individual who just resides down the road and made no significant contribution for the city."

Attached Letter:

*ADDENDUM TO THE COMMENT RE REQUEST # NC-04-004

Naming the ROW would not improve the routing for services as there is already adequate provision for locating the property. The Waterses have been assigned a Dark Valley Cove street number – their address currently is 8012 Dark Valley Cove – and have a prominent mail box with their street number at the curbside at Dark Valley cul-de-sac.

They also had a clearly visible street number sign at the entrance of the ROW, but have recently removed it. You can see their gate from the cul-de-sac. Services such as garbage pickup, UPS, FedEx, etc. have no problem in locating their property.

The ROW is equivalent to a long private driveway which many houses in Austin have, and we understand the City does not provide street names to each of those driveways.

Sincerely,
Nyung S. Kwon
Jaeun M. Kwon"

Roger C. Wade

Comments:

"Naming road after land owner is not appropriate. Owner has not supported other suggested changes in area."

Attached Letter:

"I have already returned the form you sent concerning the request of the Waters to name the right of way off of Dark Valley Cove in the subdivision Shadowridge Crossing Section 12. I now understand that the change is sponsored by the solid waste people. I am incredulous of this from several aspects.

- 1) Up until three years ago the access that included the portion of right of way under discussion was a mile long dirt road. With the creation of the Loma Vista subdivision, this dirt road is now less than 100 yards. If the solid waste people could find the location three years ago, they certainly should be able to find it now, when the gate to the property is within sight of the paved road.
- 2) The Waters residence is the only residence on this right of way. The only difference between having the right of way and owning the land is that Waters do not have to bring their trash to the curbside. A much easier solution for the solid waste pickup truck is to have the Waters bring their trashcans to the Dark Valley Cove curbside.
- 3) The Waters have an address as 8012 Dark Valley Cove. In the two + years I

have been at 8016 Dark Valley Cove there has never been a difficulty with finding the location.

- 4) The 8012 address is on their mail box and is not difficult to find. They had a supplemental sign up with the address on it, but have recently removed it. If this removal was a city requirement, they could have easily put larger numbers on their mailbox as some others have done.

Warm regards,
Rodger Wade"

Judith A Corbitt

Comments:

"I gave up the property on the back of my lot to the Waters to widen their driveway & had a gate put in on my back fence to use if I ever needed to. I ask her (Mrs. Waters) the other day if it would be a problem to use this gate for cleaning up the back of my lot & she refused. That answer was totally unexpected, because of that, I will not sign this petition."

The following comments were received from property owners in the neighborhood, but do not own property along the right of way.

Ruth and David Fried

Attached Letter:

"I firmly believe this lane should never be referred to as a street, as it is only a right-of-way as stated in your cover letter. As a right of way, I have no quarrel with the naming of it. I do have an objection to this lane suddenly being recognized as a street providing access for future development. The property owners of this cul-de-sac purchased their homes on a cul-de-sac not a through street. We willingly share the cul-de-sac with the driveways of the two existing private homes. We do not want property development to turn our street into a thoroughfare.

Perhaps it should be named – Waters Right-of-Way.

Ruth and David Fried
8004 Dark Valley Cove
Austin, Texas 78737"

Don Hughes

Comments:

"Dark Valley is a cul-de-sac and should not have named roads intersecting it. It is not an existing street. It is a driveway right of way and nothing more."

Malene Howard (no comments)